

**Rec'd PCT/PTO****20 DEC 2006**

12/20/06 WED 11:38 FAX 617 535 3869

MCDERMOTT WILL &amp; EMERY

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## FACSIMILE

**Date:** 20 December 2006**Time Sent:**

<b>To:</b>	<b>Company:</b>	<b>Facsimile No:</b>	<b>Telephone No:</b>
PCT	USPTO	1-571-273-3201	
<b>From:</b>	Simona Levi Minzi	<b>Direct Phone:</b>	617.535.4049
<b>E-Mail:</b>	slevi@mwe.com		
<b>Client/Matter/Tkpr:</b>	068911-0126-07988	<b>Original to Follow by Mail:</b>	No
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Facsimile Operator: 617.535.4000 Main Facsimile: 617.535.3800

U.S. practice conducted through McDermott Will & Emery LLP  
28 State Street Boston, Massachusetts 02109-1775 Telephone: 617.535.4000  
BST99 1410871-1.T03792.0011

PAGE 1/10 \* RCVD AT 12/20/2006 10:39:36 AM [Eastern Standard Time] \* SVR:USPTO-EFAX-6/37 \* DNIS:2733201 \* CSID:617 535 3869 \* DURATION (mm-ss):03-16

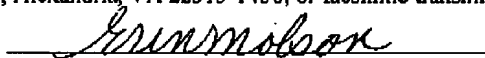
**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: J. Babish, et al.  
Serial No. 10/557,293  
Filing Date November 18, 2005  
Title: Anti-Inflammatory Pharmaceutical Compositions for Reducing Inflammation  
and The Treatment or Prevention of Gastric Toxicity  
Docket: 068911-0126

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Mail Stop PCT, Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted (571-273-8900) to the USPTO, on the date indicated below.

Date: *20 December 2006*

  
Erin M. Olson

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

Enclosed herewith for filing in connection with the above-identified patent application are the following:


- 1) Response To Notice to File Missing Requirements; and
- 2) Copy of Notice to File Missing Requirements Under 35 USC 371 dated August 29, 2006;
- 3) Petition for Two-Month Extension of Time; and
- 4) Return postcard.

The Commissioner is hereby authorized to charge the Extension fee of \$450.00, the Additional Claim fee of \$500, further fees which may become due, or credit any overpayment, to Deposit Account Number 50-1133.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

Date: *12/20/06*

  
Simona Levi-Minzi, Reg. No.: 43,750  
28 State Street  
Boston, MA 02109-1775  
Telephone: (617) 535-4000  
Facsimile: (617) 535-3800

**PATENT**

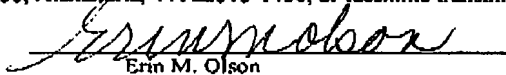
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Date: 20 December 2006

  
Erin M. Olson

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

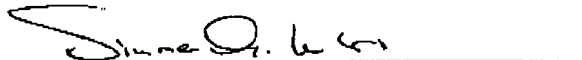
In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated August 29, 2006, Applicants enclose an executed Declaration and Power of Attorney for Patent Application.

The Commissioner is hereby authorized to charge the Extension fee of \$450.00, the Additional Claim fee of \$500, further fees which may become due, or credit any overpayment, to Deposit Account Number 50-1133.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

Date: 12/20/06

  
Simona Levi-Minzi, Reg. No.: 43,750  
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Boston, MA 02109-1775  
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BST99 1526260-1.068911.0126



## UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/557,293	John G. Babish	068911.0126

INTERNATIONAL APPLICATION NO.
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PCT/US04/16043

LA. FILING DATE	PRIORITY DATE
05/21/2004	05/22/2003

Simona A. Levi-Minzi, Ph.D.  
McDermott Will & Emery LLP  
28 State Street  
Boston, MA 02109-1775

CONFIRMATION NO. 9021

371 FORMALITIES LETTER



\*OC000000020220142\*

Date Mailed: 08/29/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 11/18/2005
- Copy of the International Search Report filed on 11/18/2005
- Request for Immediate Examination filed on 11/18/2005
- U.S. Basic National Fees filed on 11/18/2005
- Priority Documents filed on 11/18/2005
- Specification filed on 11/18/2005
- Claims filed on 11/18/2005
- Abstracts filed on 11/18/2005
- Drawings filed on 11/18/2005

McDermott Will & Emery LLP  
Re: 68911-126  
Action Date: 10/27/05  
Action Due: MISS - PACTS  
Docketed By: DAF Date: 9/5/06

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$500 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$375 for a Small Entity:

- Total additional claim fee(s) for this application is \$ 500
  - \$500 for 6 independent claims over 3.

(A previous payment of \$125 will be applied to the additional fees indicated above.)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/557,293	PCT/US04/16043	068911.0126

FORM PCT/DO/EO/905 (371 Formalities Notice)

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